

Appin. No. 09/811,724
Amendment dated December 29, 2004
Reply to Office Action of September 13, 2004

REMARKS/ARGUMENTS

Reconsideration of the present application, as amended, is respectfully requested.

The September 13, 2004 Office Action and the Examiner's comments have been carefully considered. In response, the title is amended, claims are cancelled, amended and added, and remarks are set forth below in a sincere effort to place the present application in form for allowance. The amendments are supported by the application as originally filed. Therefore, no new matter is added.

TITLE

In the Office Action, the title of the invention is objected to as not being descriptive. In response, the title is amended to be more clearly indicative of the present claimed invention.

If, even if view of the amendment of the title the Examiner maintains her objection, the Examiner is respectfully requested to provide a proposed amended title in the next Patent Office communication for consideration by the Applicants.

ALLOWABLE SUBJECT MATTER

The Examiner's indication that claims 4-6 and 12-14 would be allowable if rewritten in independent form, is acknowledged and

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appreciated. In response, claims 4, 5 and 12 have been rewritten in independent form. In view of the amendment of claims 4, 5 and 12, claims 4-6 and 12-14 are in form for immediate allowance, which action is earnestly solicited.

REJECTION UNDER 35 USC 103

In the Office Action, claims 1-3, 7-11 and 15 are rejected under 35 USC 103(a) as being unpatentable over USP 6,334,109 (Kanevsky et al.) in view of USP 6,351,745 (Itakura et al.).

In response, claim 2 is cancelled and claims 1, 3, 7, 9-11 and 15 are amended.

The present claimed invention as defined by independent claim 1 is directed to an advertisement distribution system (2) which receives advertisement contents from advertisement provider terminals (1) through a communications network, and provides advertisement user terminals with the received advertisement contents through the communications network. The system includes a receiver (S1) which receives from the advertisement provider terminals (1) through the communications network advertisement contents and associated advertisement provider information which is specified by the content providers. The advertisement provider information includes advertisement providing conditions (see Fig. 3) for controlling provision of the associated

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advertisement content. The system also includes an advertisement information storage unit (M1) which stores advertisement contents and associated advertisement provider information received by the receiver, an advertiser-user information storage unit (M2) which stores identification data designating the advertisement user terminal and associated advertisement usage information specified by advertisement users (the advertisement usage information including an advertisement specification condition (Fig. 4) for specifying a desired advertisement of the advertisement users) and an advertisement provider information extraction unit (S3) which extracts from the advertisement information storage unit the advertisement provider information which conforms to the advertisement specification condition included in the advertisement usage information associated with the identification data. The system also includes an advertisement content extracting unit which extracts the advertisement contents associated with the advertisement provider information extracted by the advertisement provider information extraction unit from the advertisement information storage unit (S2), and a transmission unit (S5) which transmits the advertisement contents extracted by the advertisement content extraction unit to the advertisement user terminal designated by the associated identification data.

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The present claimed invention as defined by amended claim 1 includes at least the following features: (1) the advertisement provider designates and sends the providing condition as well as advertisement content, and (2) the advertisement user can designate a condition for designating desired content.

Kanevsky et al. disclose that advertisement server 112 selects advertisements from those stored in an advertisement database 115 and sends the selected advertisement content to the store terminals 100.

Kanevsky et al. do not, however, disclose that the provider of advertisement designates the providing conditions of the advertisements, and that each advertisement user designates advertisement usage conditions.

Itakura et al. do not close the gap between the present claimed invention as defined by amended claim 1 and Kanevsky et al.

That is, the present claimed invention as defined by amended claim 1 is patentable over Kanevsky et al. and Itakura et al. because the references do not disclose, teach or suggest, when taken either alone or in combination, an advertisement distribution system including:

a receiver which receives from the advertisement provider terminals through the communication network advertisement contents and associated advertisement provider information

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which is specified by content providers, the advertisement provider information including advertisement providing conditions for controlling provision of the associated advertisement contents; and/or

an advertisement provider information extraction unit which extracts from the advertisement information storage unit the advertisement provider information which conforms to the advertisement specification condition included in the advertisement usage information associated with the identification data;

an advertisement content extracting unit which extracts the advertisement content associated with the advertisement provider information extracted by the advertisement provider information extraction unit from the advertisement information storage unit (see claim 1, lines 8-12 and 26-36).

In view of the foregoing, claim 1 is patentable over the cited references under 35 USC 102 as well as 35 USC 103.

Claim 3, which is either directly or indirectly dependent on claim 1, is patentable over the cited references in view of its dependence on claim 1 and because the references do not disclose, teach or suggest each of the limitations set forth in claim 3.

Independent claim 7 is directed to a store terminal device (3) which receives advertisement content sent by an advertisement provider from an advertisement server (2) through a communications network. The store terminal device includes an advertisement content storage unit (E1, F8, Fig. 17) which receives advertisement content from the advertisement server and

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stores the received advertisement content, a transaction registration processor (E4) which registers sales data for business transactions with a customer, an advertisement content specification unit (G6-G15) which specifies at least one advertisement content included in the advertisement content stored in the advertisement content storage unit, and a receipt issuing unit (E2) which issues a receipt on which the sales data registered by the transaction registration processor and advertisement content specified by the advertisement content specification unit are printed. The device also includes an advertisement-usage amount management unit which updates and retains advertisement usage amount data representing an amount of print of the respective advertisement contents every time the advertisement content is printed by the receipt issuing unit, and a sending unit which sends the advertisement usage amount retained by the advertisement usage amount management unit to the advertisement server.

The present claimed invention as defined by amended claim 7 includes the following features: (1) the store terminal updates the advertisement usage amount every time the advertisement is printed on the receipt, and (2) the advertisement usage amount is sent to the advertisement server.

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In the Office Action, the Examiner asserts that the aforementioned features of the claim 7 are disclosed in Itakura et al.

Itakura et al. disclose that if the information is updated in the system (server), the updated information is sent to terminals. However, Itakura et al. do not disclose the above-identified features of amended claim 7. Kanevsky et al. do not close the gap between the present claimed invention as defined by claim 7 and Itajura et al. In other words, neither Itakura et al. nor Kanevsky et al. disclose any means for updating the advertisement usage amount every time the advertisement is printed on the receipt in the terminal, nor the advantage usage amount is send from terminals to the server.

That is, the present claimed invention as defined by claim 7 is patentable over the cited references because the references do not disclose, teach or suggest a store terminal device including:

an advertisement-usage amount management unit which updates and retains advertisement usage amount data representing amount of print of the respective advertisement contents every time the advertisement content is printed by the receipt issuing unit; and/or

a sending unit which sends the advertisement usage amount retained by the advertisement-usage amount management unit to the advertisement server (see claim 7, lines 27-37).

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In view of the foregoing, claim 7 is patentable over the cited references under 35 USC 102 as well as 35 USC 103.

Claims 8-10 are either directly or indirectly dependent on claim 7 and are patentable over the cited references in view of their dependence on claim 7 and because the references do not disclose, teach or suggest each of the limitations set forth in claims 8-10.

Independent claim 11 is directed to a method for receiving advertisement content which corresponds to claim 1. Claim 11 is patentable over the cited references for reasons, inter alia, set forth above in connection with claim 1.

Claim 15 is directed to a computer readable recording medium claim which corresponds to claim 1. Claim 15 is patentable over the cited references for reasons, inter alia, set forth above in connection with claim 1.

NEW CLAIMS

New independent claims 16-21 have been added. New claims 16-17 correspond to original claims 4 and 5. New claims 18-20 correspond to original claims 1, 4, and 5 and new claim 21 is a method claim corresponding to original claim 7. New claims 16-21 are patentable over the cited references for reasons, inter alia, for the allowability of claims 1, 4, 5 and 7 set forth above.

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CLAIM FEE

The application as filed included four (4) independent claims and fifteen (15) total claims, and the application after entry of the present Amendment includes twelve (12) independent claims and twenty (20) total claims. Submitted herewith is a credit card authorization form in the amount of \$1,600.00 for the presentation of eight (8) independent claims above the highest number of independent and total claims for which payment was previously made. If any additional fees are due or if any overpayment has been made, please charge or credit our Deposit Account No. 06-1378 for such sum.

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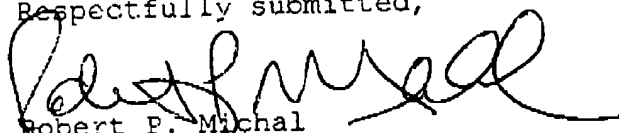
Entry of this Amendment, allowance of the claims and the passing of this application to issue are respectfully solicited.

If the Examiner disagrees with any of the foregoing, the Examiner is respectfully requested to point out where there is support for a contrary view.

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If the Examiner has any comments, questions, objections or recommendations, the Examiner is invited to telephone the undersigned at the telephone number given below for prompt action.

Respectfully submitted,



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Encls.: Petition for Extension of Time
Credit Card Authorization Form in the Amount of \$1,600.00